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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/965,445	09/27/2001	Franz Pfleger	2001P07287 US	5343

7590 07/15/2003
Siemens Corporation
Intellectual Property Department
186 Wood Avenue South
Iselin, NJ 08830

EXAMINER

SONG, SARAH U

ART UNIT PAPER NUMBER

2874

DATE MAILED: 07/15/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/965,445

Applicant(s)

PFLEGER, FRANZ

Examiner

Sarah Song

Art Unit

2874

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-17 and 21-27 is/are allowed.
- 6) ☒ Claim(s) 18-20, 28 and 31 is/are rejected.
- 7) ☒ Claim(s) 29 and 30 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 September 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: Ben Healy

DETAILED ACTION

Information Disclosure Statement

1. The prior art document submitted by the applicant in the Information Disclosure Statement filed on January 17, 2002 has been considered as U.S. Patent 6,375,362 and made of record (note the attached copy of form PTO-1449 and PTO-892).

Specification

2. The disclosure is objected to because of the following informalities: in line 29 on page 3, change "conductive" to ~~conductive~~.
3. The use of the trademark KEVLAR has been noted in this application. It should be capitalized wherever it appears and be accompanied by the generic terminology.

Although the use of trademarks is permissible in patent applications, the proprietary nature of the marks should be respected and every effort made to prevent their use in any manner which might adversely affect their validity as trademarks.

Appropriate correction is required.

Claim Objections

4. Claim 20 is objected to because of the following informalities: Examiner believes that claim 20 is intended to depend from claim 18. Appropriate correction is required.
5. Applicant is advised that should claim 28 be found allowable, claim 31 will be objected to under 37 CFR 1.75 as being a substantial duplicate thereof. When two claims in an application are duplicates or else are so close in content that they both cover the same thing, despite a slight difference in wording, it is proper after allowing one claim to object to the other as being a substantial duplicate of the allowed claim. See MPEP § 706.03(k).

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claims 18 and 20 are rejected under 35 U.S.C. 102(b) as being anticipated by Coleman et al. (U.S. Patent 6,463,198). Coleman et al. discloses a fiber-optic cable comprising an optical fiber 20; a conductive coating 23 disposed around said optical fiber; and a buffer layer 44 including a jacket made from one of plastic and a polymer. The conductive coating extends a length of said optical fiber. See Figure 2 and column 2, lines 35-54.
8. Claims 28 and 31 are rejected under 35 U.S.C. 102(b) as being anticipated by Juso et al. (U.S. Patent 4,869,566). Juso et al. discloses a fiber-optic cable comprising an optical fiber 54, a conductive coating 51-53 disposed around said optical fiber; and a buffer disposed around said conductive coating, said buffer including a jacket 43. Juso et al. discloses a method of making an optical connection comprising the steps of providing a first connector part 43 coupled to an optical fiber 54, said optical fiber having a terminal end with a conductive coating 51-53; providing a second connector part 44 having a contact element 57, 50 with said contact element disposed at a position which coincides with said conductive coating of said optical fiber when said first connector part and said second connector part are mated.

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 18-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Juso et al. Juso et al. discloses a fiber-optic cable comprising an optical fiber 54, a conductive coating 51-53 disposed around said optical fiber; and a buffer disposed around said conductive coating, said buffer including a jacket 43. The conductive coating extends a length of the optical fiber, and is located at only a terminal end of said optical fiber. See Figure 3. Juso et al. does not specifically disclose the material of the jacket 43. However, jackets made of plastic or polymer are well known in the art. One of ordinary skill in the art would have found it obvious to form the jacket 43 from a plastic to provide an inexpensive plug portion.

Allowable Subject Matter

11. Claims 1-17 and 21-27 are allowed.
12. Claims 29 and 30 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
13. The following is a statement of reasons for the indication of allowable subject matter: The prior art of record does not disclose or reasonably suggest the combination of a first connector part having an optical fiber, said optical fiber including a terminal end having a conductive coating; and a second connector part adapted to mate with the first connector part and having a verification circuit that verifies that the connector parts have been connected or an electronic device that indicates when a contact element touches the conductive coating, as claimed in claims 1-12 and 21-27. The prior art of record also does not disclose or reasonably

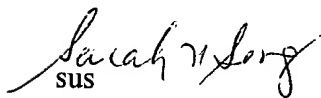
Art Unit: 2874


suggest the associated method of verifying an optical connection, as claimed in claims 13-17 and 29-30.

Conclusion

14. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Federmann et al. discloses an optical fiber having a conductive coating around the optical fiber, and a buffer layer around the conductive coating. Harper discloses an optical fiber comprising strips of conductive material around an optical fiber (column 3, lines 36-38). Heiles et al. is the related publication to the application cited on the PTO-1449. Czosnowski et al., Bellahsene et al., Burston Dietz, Jr. et al. and Eibner et al. disclose various connection verification means.

15. Any inquiry concerning the merits of this communication should be directed to Examiner Sarah Song at telephone number 703-306-5799. Any inquiry of a general or clerical nature, or relating to the status of this application or proceeding should be directed to the receptionist at telephone number 703-308-0956 or to the technical support staff supervisor at telephone number 703-308-3072.


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June 19, 2003


Brian Healy
Primary Examiner